

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DR. MORGAN REYNOLDS on behalf of the UNITED STATES OF AMERICA, Plaintiff/Relator,	:	
v.	:	
SCIENCE APPLICATIONS INTERNATIONAL CORP.; APPLIED RESEARCH ASSOCIATES INC.; BOEING; NuSTATS; COMPUTER AIDED ENGINEERING ASSOCIATES, INC.; DATASOURCE, INC.; GEOSTAATS, INC.; GILSANZ MURRAY STEFICEK LLP; HUGHES ASSOCIATES, INC.; AJMAL ABBASI; EDUARDO KAUSEL; DAVID PARKS; DAVIS SHARP; DANIELE VENEZANO; JOSEF VAN DYCK; KASPAR WILLIAM; ROLF JENSEN & ASSOCIATES, INC.; ROSENWASSER/GROSSMAN CONSULTING ENGINEERS, P.C.; SIMPSON GUMPERTZ & HEGER, INC.; S.K. GHOSH ASSOCIATES, INC.; SKIDMORE, OWINGS & MERRILL, LLP; TENG & ASSOCIATES, INC.; UNDERWRITERS LABORATORIES, INC.; WISS, JANNEY, ELSTNER ASSOCIATES, INC.; AMERICAN AIRLINES; SILVERSTEIN PROPERTIES; and UNITED AIRLINES,	:	Case No. 07CV4612 (GBD)
Defendants.	:	

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying declaration of Patricia B. Gary, Esq., defendants Simpson Gumpertz & Heger, Inc. (“SGH”) and Computer Aided Engineering Associates, Inc. (“CAE”) hereby adopt and join the argument set forth in the motion to dismiss submitted by co-defendant Applied Research Associates, Inc. (“ARA”) that Section 3730(b)(5) of the False Claims Act (“FCA”) bars the FCA claims set forth in the *qui tam* Complaint of Dr. Morgan Reynolds (the “Reynolds Suit”) because they rely on the same facts and mirror the allegations in *United States ex rel. Dr. Judy Wood v. Applied Research Assoc., Inc.*, No. 07 Civ. 3314 (GBD) (S.D.N.Y. filed April 25, 2007) (the “Wood Suit”). For the reasons stated in ARA’s motion to dismiss, SGH and CAE request that this Court dismiss the *qui tam* Complaint of Dr. Morgan Reynolds in its entirety, with prejudice, pursuant to Section 3730(b)(5) of the FCA.

Respectfully submitted,

**SIMPSON GUMPERTZ & HEGER, INC. and
COMPUTER AIDED ENGINEERING
ASSOCIATES, INC.**

By its attorneys,

David M. Pollack (DP6143)
DONOVAN HATEM LLP
Attorneys for Defendants
SIMPSON GUMPERTZ & HEGER, INC. and
COMPUTER AIDED ENGINEERING
ASSOCIATES, INC.
One Penn Plaza
250 W. 34th Street
Suite 3324
New York, NY 10119
(212) 244-3333

/s/ Patricia B. Gary
David J. Hatem, P.C.
William D. Gillis, Jr., Esq.
Patricia B. Gary, Esq.
DONOVAN HATEM LLP
Two Seaport Lane
Boston, MA 02210
(617) 406-4500

Dated: New York, New York
January 25, 2008

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